

Historic, archived document

Do not assume content reflects current scientific knowledge, policies, or practices.

LIBRARY
CURRENTS
OCT 31 1978
U. S. DEPARTMENT OF AGRICULTURE

WAR FOOD ADMINISTRATION

[WFO 17, Amdt. 5]

PART 1407—DRIED FRUIT

RAISIN VARIETY GRAPES, ZANTE CURRANT GRAPES, RAISINS, AND ZANTE CURRANTS

War Food Order No. 17, as amended, 9 F.R. 4321, 4319 (formerly designated as Food Distribution Order No. 17, as originally issued by the Secretary of Agriculture on January 30, 1943, and as amended, 8 F.R. 1706, 12042), is further amended to read as follows:

§ 1407.2 *Restrictions relative to raisin variety grapes. Zante Currant grapes, raisins, and Zante Currants—(a) Definitions.* (1) "Person" means any individual, partnership, corporation, association, business trust, or any organized group of persons, whether incorporated or not.

(2) "Director" means the Director of Distribution, War Food Administration.

(3) "Raisin variety grapes" means Thompson Seedless, Muscat, and Sultana grapes, grown in Fresno, Kern, Kings, Madera, Merced, Stanislaus, San Joaquin, or Tulare Counties in the State of California, in the fresh or partially dried form.

(4) "Zante Currant grapes" means the grapes of the Zante Currant variety, grown in Fresno, Kern, Kings, Madera, Merced, Stanislaus, San Joaquin, or Tulare Counties in the State of California, in the fresh or partially dried form.

(5) "Raisins" means raisin variety grapes preserved by the removal of a part of the natural moisture, and includes such fruit in the processed or unprocessed condition.

(6) "Zante Currants" means Zante Currant grapes preserved by the removal of a part of the natural moisture, and includes such fruit in the processed or unprocessed condition.

(7) "Processing" means grading, sizing, stemming, seeding, or treating raisins or Zante Currants by the use of water, steam, chemicals, or compressed or hot air.

(8) "Producer" means any person engaged in the production of raisin variety grapes or Zante Currant grapes; and such term includes, but is not limited to, any owner of such grapes at the time of the harvesting or picking of such grapes.

(9) "Packer" means any person engaged in the business of processing and packaging raisins or Zante Currants.

(10) "Dehydrator" means any person engaged in the business of drying raisin variety grapes or Zante Currant grapes by the use of artificial heat or by sun drying.

(b) *Restrictions.* (1) No producer may sell or deliver any raisin variety grapes or any Zante Currant grapes, except to (i) the Office of Distribution (including, but not being limited to, any corporate agency thereof), or (ii) any person designated by the Director, or (iii) any dehydrator for the purpose of converting such grapes into raisins or Zante Currants. No producer may, unless specifically authorized by the Director, use more than 100 pounds of raisin variety grapes or Zante Currant grapes during each calendar year for any purpose other than for conversion into raisins or Zante Currants.

(2) No person may, unless specifically authorized by the Director, purchase or accept delivery of any raisin variety grapes or any Zante Currant grapes for any purpose other than for conversion into raisins or Zante Currants.

(3) No person may, unless specifically authorized by the Director, purchase, accept delivery of, or use any raisins or any Zante Currants for conversion into alcohol, brandy, wine, any other beverage (whether alcoholic or not), any concentrate, any syrup, or any non-food product or non-food byproduct.

(4) No person may sell any raisins or any Zante Currants for conversion into alcohol, brandy, wine, any other beverage (whether alcoholic or not), any concentrate, any syrup, or any non-food product or non-food byproduct except to (i) the Office of Distribution (including, but not being limited to, any corporate agency thereof), or (ii) any person designated by the Director.

(5) On March 1 of each year each person, other than a packer, shall, without regard to existing contracts, set aside for delivery to the Office of Distribution, or any person designated by the Director, all of the unprocessed raisins produced in the then immediately preceding calendar year, or owned by or under contract to, such person on said date, and hold such unprocessed raisins so set aside for a period of one year thereafter unless, during such period, said unprocessed raisins are acquired by the Office of Distribution or a person designated by the Director.

(6) No person may sell or deliver any raisin variety grapes, any Zante Currant grapes, any raisins, or any Zante Currants with knowledge or reason to believe that such quantity, or any portion thereof, thus sold or delivered is to be used in violation of this order.

(7) No dehydrator shall convert any raisin variety grapes into raisins by any method other than sun drying, unless specifically authorized by the Director.

(c) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of raisin variety grapes, Zante Currant grapes, raisins, and Zante Currants of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(d) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in raisin variety grapes, Zante Currant grapes, raisins, and Zante Currants.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 17, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (e) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(f) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using the material subject to priority or allocation

control pursuant to this order. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO-17.

(i) *Effective date.* This order shall become effective at 12:01 a. m., p. w. t., July 21, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 17, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 17, as amended, in effect prior to the effective time hereof shall be deemed to con-

tinue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

NOTE: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 20th day of July 1944.

ASHLEY SELLERS,
Acting War Food Administrator.

War Food Administration Summary to WFO 17, Amendment 5.

Anticipating that most of this year's crop of raisin variety and Zante currant grapes produced in eight California counties will be needed to meet military and essential civilian raisin and Zante currant requirements, the War Food Administration today announced that restrictions affecting those varieties produced in those areas will be continued during the 1944-45 marketing season.

These restrictions cover the purchase, sale, delivery, receipt, and use of raisin variety and Zante currant grapes grown in Fresno, Kern, Kings, Madera, Merced, Stanislaus, San Joaquin and Tulare counties in California, and are the same,

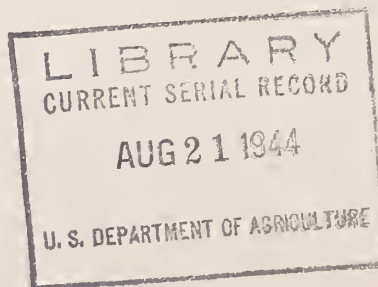
in general, as those in effect during the 1943-44 marketing season. This action, effective July 21, 1944, is contained in an amendment to War Food Order 17, as amended.

The amended order provides that these varieties of grapes produced in the designated counties be converted into raisins or Zante currants, or sold to the Office of Distribution of the WFA, any person designated by the Director of Distribution, or a dehydrator for conversion into raisins or Zante currants. The amended order also prohibits the use of raisins or Zante currants for conversion into alcohol, brandy, wine, or any other beverage, concentrate, sirup, or any other non-food product or non-food by-product.

Current War Food Administration estimates indicate that 306,000 tons of natural condition raisins produced this year will be needed to meet essential requirements for 1944 and about 1,224,000 tons of raisin variety grapes will be required to produce this quantity. A production of raisin variety grapes in California this year of 1,432,000 tons is indicated in the official report of the Crop Reporting Board as of July 1. This year's production compares with 1,661,000 tons produced in 1943 and 1,375,000 tons for the 5-year average, 1938-42. Approximately 95 percent of the raisin variety grapes are produced in the eight designated counties.

GPO—WFA 28—p. 2

WAR FOOD ADMINISTRATION
OFFICE OF DISTRIBUTION
WASHINGTON 25, D. C.
OFFICIAL BUSINESS



Penalty for Private Use to Avoid Payment of
Postage, \$300

733 F
Palm

WAR FOOD ADMINISTRATION

[WFO 17, Amdt. 7]

PART 1407—DRIED FRUIT

RAISIN VARIETY GRAPES, ZANTE CURRANT
GRAPES, RAISINS, AND ZANTE CURRANTS

War Food Order No. 17, as amended (9 F.R. 4321, 4319, 8768, 9584; 10 F.R. 103), is further amended by deleting the provisions in § 1407.2 (a) (5) and inserting, in lieu thereof, the following:

(5) "Raisins" means raisin variety grapes preserved by the removal of part of the natural moisture, and includes,

but is not limited to, such fruit in the processed or unprocessed condition, damaged raisins, substandard raisins, sweepings, stems, and blows.

This amendment shall become effective at 12:01 a. m., p. w. t., January 25, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 17, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 17, as

amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 24th day of January 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

BRARY
T SERIAL RECORD
AR 10 1945 ☆
TMENT OF AGRICULTURE

War Food Administration,
Summary to WFO-17 Amendment 7.

The War Food Administration has amended War Food Order No. 17 (dried fruits) to include in the definition of "raisins" all damaged or substandard raisin stocks and all sweepings, stems and blows. The amendment is effective January 25, 1945.

WFO 17, originally issued in January, 1943, restricts the sale of raisin variety grapes and Zante Currant grapes grown in certain areas of California to WFA or to dehydrators for the purpose of converting them into raisins and Zante cur-

rants. It also prohibits conversion of raisins and Zante currants into alcohol, brandy, wine or any beverage (alcoholic or not), any concentrate, syrup or any non-food product or non-food by-product.

While an amendment of July 20, 1944 was intended to and did bring damaged or substandard raisins and Zante currants, and packing waste including sweepings, stems and blows within the terms of the order, the amended definition of raisins specifies in detail the foregoing items which are to be considered as raisins and regulated accordingly.

